

REGULAR MONTHLY MEETING OF THE STEPHENS CITY TOWN COUNCIL
Wednesday, May 5, 2010
7:30 p.m.

Mayor Ray Ewing called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance.

Vice Mayor Shull gave the invocation.

Roll call showed the following present:

Vice Mayor Joy Shull, Council member Ronald Bowers, Council member Linden A. Fravel, Jr., Council member Michael Grim, Council member James Harter, Council member Joseph Hollis

Staff present: Mike Kehoe, Town Manager; Brian Henshaw, Town Planner; David Griffin, Town Attorney; Kim Uttenweiler, Town Treasurer, Charles Bockey, Chief of Police, Stephens City Police Department; Dianne MacMillan, Town Clerk

Press: J. R. Williams, Northern Virginia Daily; Stephanie Mangino, Winchester Star

Guests: Service Learning Project students: Matthew Demerly, Drew Simpson and Brad Deck

AGENDA

Mayor Ewing stated that there should be an addition to the Agenda under Item 6 to include a presentation by the Tim Stowe, Town Engineer on the Mulberry Street sewer project.

Vice Mayor Shull moved that the Agenda for May 5, 2010 be adopted as amended adding a presentation from the Town Engineer and the motion passed.

PUBLIC COMMENTS

Mayor Ewing opened the floor for public comment. There being none, the public comment period was closed.

PUBLIC HEARING

Proposed Budget and Tax Rates for Fiscal Year 2010 – 2011

Mayor Ewing asked Town Manager Mike Kehoe to review the proposed budget in comparison to the 2009-2010 budget. Mr. Kehoe briefly outlined the General Fund Revenues/Expenditures and Utility Fund Revenues/Expenditures and the CIP funds. He noted that there were no increases in fees over last year except for an increase in sewer availability fees. He advised that the Town will receive some monies through grants including grants for the police department.

Mayor Ewing called the Public Hearing to order at 7:38 pm and asked for questions or comments on the proposed budget for 2010/2011. There being none, the public hearing was closed at 7:39 pm.

PRESENTATION TO COUNCIL

Service Learning Project – Sherando High School Students

Mayor Ewing asked Mr. Henshaw, Town Planner to introduce the students who participated in the learning project and he presented Matthew Demerley, Drew Simpson and Brad Deck. Mr. Henshaw explained that he and Mr. Kehoe worked with the seniors on developing a marketing profile for the Town of Stephens City and they spent the past several months learning about economic development opportunities and how other jurisdictions market themselves. He added that they would be making the presentation two more times to their class and the Board of Supervisors. He turned the floor over to the students who began the power point presentation to Council.

The students said they were selected by their teacher for the project as they all had backgrounds in marketing and they were paired with Stephens City. They reported that they researched the town, county and state and interviewed agency personnel to get more information which they put into a power point format for presentation to businesses. The goal of the project was to get businesses to contact the town for further information on locating in the town. Briefly their suggestions for bringing businesses into the town were: 1- tax incentives for relocating into the town for the first few years; 2- a “going green” program throughout the town which seems to be the new fashion and draws more environmentally conscious businesses and tax breaks can be linked to this (available through the federal government); 3- broadband internet access in the town to provide faster connection to the world around them and wider advantages. They said that this seems to be the “new utility”. They said they learned a lot by participating in this project.

Council member Hollis congratulated the students on a great project and said the Town realized that it is in competition with other jurisdictions for businesses. Council member Fravel suggested that the presentation also be put into a different format for those who do not have access to power point. The entire Council thanked the students for their presentation.

Mulberry Street Sewer Project – Tim Stowe, Town Engineer

Town Engineer, Tim Stowe distributed graphs and documents. He said that the Town was looking for ways to abate I&I into the sewer which results in high levels of flow. He explained that there were two points for delivery of wastewater from the town system to Frederick County Sanitation both were metered and cost was based on readings. The first was a gravity system, the bulk of which was from Mulberry Street area and the second was from the Stephens Landing pump station. This was the major reason for addressing the Mulberry St problems. Mr. Stowe explained that the engineering data summarized the capacity of the existing system on the Mulberry sewer main and what was needed to accommodate full build-out of the Davis and Russell properties and any infill projects on the north end of town. He noted

that all the projects would not occur at once but it would be desirable to have a service life of 50 years.

Mr. Stowe said the engineering report followed the prescribed format as established by DEQ for sewer collection regulation. This report would be submitted to DEQ for approval in preparation to secure financing for the project in whole or in phases based on the financing available. He said the report showed comparison of three alternatives for the project. DEQ requires that the Town develop three alternatives to solving the problem and compare those from engineering, financing and environmental standpoints. Mr. Stowe stated that the three things needed to move forward on the project were: 1) DEQ requirement for official town acceptance of the engineering report, which can be done administratively by the Town Manager, 2) Town adoption of the recommendations of the preliminary engineering report (he said he hoped to present in final format at the next meeting), and 3) have Public Hearing on the environmental side of the project because construction will impact an existing floodplain. He said these had to be done in anticipation of obtaining funding. Council member Hollis asked about sources of funding. Mr Kehoe said he was already looking at financing options including DEQ low interest loans, farmers home financing, stimulus money to the states which was an unknown, and VML and VaCO bond pool(s). He noted that the Town could not afford to undertake this project without loan or grant money. He added that proffers are some years out but would help in the future to pay down debt for the project.

MINUTES – April 6, 2010 Regular Meeting

Council member Hollis moved for approval of the minutes of April 6, 2010 as corrected and the motion carried with the following vote:

Recorded Vote:

| | | |
|-----------------------|---|-----|
| Vice Mayor Shull | - | Aye |
| Council member Bowers | - | Aye |
| Council member Fravel | - | Aye |
| Council member Grim | - | Aye |
| Council member Harter | - | Aye |
| Council member Hollis | - | Aye |

Nays - None

Absent – None

TREASURERS REPORT – Kim Uttenweiler

Mayor Ewing asked for any comments or questions regarding the Treasurer's report as submitted. There were none and the report was accepted as presented.

POLICE REPORT – Charles Bockey, Chief

Mayor Ewing asked for any comments or questions regarding the Police Department report as submitted. There were none and the report was accepted as presented.

ACTION AGENDA

A. Ordinance to Adopt Budget and Tax Rates for Fiscal Year 2010-2011 – First Reading

Mayor Ewing said the adoption of the budget and ordinance to adopt the budget was the next item before Council. Council member Hollis reported that the Finance Committee accepted the proposed budget and moved that the Town approve the proposed budget on recommendation of the Finance Committee. The motion was passed with the following recorded vote:

Recorded Vote:

| | | | |
|-----------------------|---|-----|----------------|
| Vice Mayor Shull | - | Aye | Nays - None |
| Council member Bowers | - | Aye | Abstain - None |
| Council member Fravel | - | Aye | Absent - None |
| Council member Grim | - | Aye | |
| Council member Harter | - | Aye | |
| Council member Hollis | - | Aye | |

Mayor Ewing asked the Clerk to read by title only the ordinance for the proposed budget for first reading. The Clerk read “An Ordinance to Adopt the 2010-2011 Budget and Appropriate Funds for Fiscal Year 2010-2011. The motion passed with the following recorded vote:

Recorded Vote:

| | | | |
|-----------------------|---|-----|----------------|
| Vice Mayor Shull | - | Aye | Nays - None |
| Council member Bowers | - | Aye | Abstain - None |
| Council member Fravel | - | Aye | Absent - None |
| Council member Grim | - | Aye | |
| Council member Harter | - | Aye | |
| Council member Hollis | - | Aye | |

B. Purchase of Police Vehicle

Mayor Ewing stated that in order to comply with the Purchasing Policies of the Town, Council must approve any purchase in excess of \$5000.00 and the proposed purchase of a new police car would come under this policy. Chief Bockey explained the problems with the existing police vehicles - the 2001 Crown Vic had been out of service due to engine problems, the 2004 Dodge Intrepid was in bad shape and had never been a good car which needed ongoing repairs. Mr. Kehoe added that the Town has had to spend several thousand dollars for repairs to the cars. He advised Council that the Town had money in reserves to obtain a new police car either through lease or direct buy with leasing about \$7000.00 year and a direct buy would be approximately \$25,000.00

Council member Grim moved to authorize the Town Manager to purchase the vehicle either by lease or purchase whichever is deemed expedient. The motion passed with the following recorded vote:

Recorded Vote:

| | | | |
|-----------------------|---|-----|----------------|
| Vice Mayor Shull | - | Aye | Nays - None |
| Council member Bowers | - | Aye | Abstain - None |
| Council member Fravel | - | Aye | Absent - None |
| Council member Grim | - | Aye | |
| Council member Harter | - | Aye | |
| Council member Hollis | - | Aye | |

COMMITTEE REPORTS

A. Administrative Committee – Joseph Hollis, Chair

No report.

B. Finance Committee – Joseph Hollis, Chair

No further report.

C. Water/Sewer Committee – Joy Shull, Chair

No meeting was held.

D. Personnel Committee – James Harter, Chair

No meeting – no report.

E. Parks and Recreation Commission – Ronald Bowers, Chair

No report.

F. Public Safety Committee – Ronald Bowers, Chair

No report.

PLANNER’S REPORT – Brian Henshaw

Mr. Henshaw brought Council’s attention to the North Main Street enhancement project revisions which took into consideration the citizens’ comments and concerns in the project area. He noted that the revision was able to retain the current yards of the houses fronting Route 11 even though the right of way brought the roadway up to the steps of several homes. He said Planning Commission reviewed this conceptual plan and recommended approval of the plan. Mr. Henshaw stated that prior to going into the design and engineering stage the plan would be submitted to VDOT for approval. Mr. Henshaw said he would submit the conceptual plan to VDOT for review.

Council discussed what would be involved in the project including drainage in adjacent properties. Mr. Henshaw said this was only a conceptual plan and the specifics of the project would be addressed after VDOT approval. Council agreed to proceed to design and engineering after VDOT approval.

Mr. Henshaw reported that he had submitted an annual report of the HPC for Council review. He said this was not a requirement, but felt that Council would benefit from seeing the

actions of the HPC over the past year. He said HPC also wanted Council to see the goals of the Commission including two projects which were, a) a draft brochure addressing historic district requirements and processes, and b) a program to recognize local businesses and local homeowner as someone who continues to enhance and preserve the historic district by the way they maintain or restore their properties. He said he hoped these people could be recognized with special presentations at Council

TOWN MANAGERS REPORT

1. Mr. Kehoe reported that a month ago Council recommended Lantz Construction for the Old Stephens City School renovation project to VDOT for a notice to proceed. He said that to date nothing has been received from VDOT.
2. Mr. Kehoe also reported that surveyors have been around Town taking elevations for the sewer project. He suggested that if any Council member was contacted about strangers on citizens' properties, they should advise them of this project. He said if they have surveying equipment, they were working for the town.
3. Mr. Kehoe reminded those present that the Newtown Heritage Festival would be taking place at the end of the month. He said they were all hoping to have a successful 18th year for the festival and this year there would be entertainment in the form of a battle of the bands on Friday night. He added that there would not be much scheduled for Sunday except for an ice cream social to recognize the outgoing Mayor and council member.
4. Mr. Kehoe announced that the Stephens City Business Expo sponsored by the Stephens City Business Association would be held on May 15th at the Newtown Commons. He said this event was rescheduled from last fall.
5. Mr. Kehoe announced that the commemorative for the Newtown Heritage Festival for 2010 would be a wagon-bank at a cost of \$20.00.

COUNCIL COMMENTS/CALENDAR

Mayor Ewing asked for comments from Council members or changes to the calendar. There were none. He stated that the calendar would stand unless changes were needed at a later date..

There being no further business, Council member Grim moved to adjourn at 8.30 p.m. and the motion carried.

Ray E. Ewing, Mayor Ray Ewing

Dianne L. MacMillan, CMC, Town Clerk